

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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SEAN TATE,

Plaintiff,

v.

ORDER

Case No. 16-cv-826-jdp

JON LITSCHER, RANDALL HEPP,  
CHRIS KRUEGER, JOHN MAGGIONCALDA,  
STAN BETHKE, JAMES L. LABELLE,  
W. BLENshaw, TERRY KISER,  
ANA BOATWRIGHT and GEORGE COOPER<sup>1</sup>,

Defendants.

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On June 1, 2017, the court entered an order accepting plaintiff Sean Tate's amended complaint as the operative pleading in this case and granted plaintiff leave to proceed *in forma pauperis* against newly named defendants W. Blenshaw, Terry Kiser, George Cooper, and Ana Boatwright. Dkt. 19. The Wisconsin Department of Justice has filed an Amended Acceptance of Service indicating that it accepts service for all of the newly-named defendants, except for defendant W. Blenshaw.

Although the Attorney General's office has indicated that it cannot identify defendant W. Blenshaw, plaintiff may be able to provide further information about W. Blenshaw which will allow defendant to be served later in this case. Even though plaintiff does not know the full name of W. Blenshaw, "when the substance of a pro se civil rights complaint indicates the existence of claims against individual officials not named in the caption of the complaint, the district court

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<sup>1</sup> I have amended the case caption to replace Steve Bethke with the name Stan Bethke; J. LaBelle with the name James L. LaBelle; T. Kiser with the name Terry Kiser; G. Cooper with the name George Cooper; and A. Boatwright with the name Ana Boatwright as identified in the Amended Acceptance of Service.

must provide the plaintiff with an opportunity to amend the complaint.” *Donald v. Cook County Sheriff's Department*, 95 F.3d 548, 555 (7th Cir. 1996).

The Attorney General's office has agreed to accept electronic service of documents on behalf of the defendants it represents through the court's electronic filing system. This means that for the remainder of this lawsuit, plaintiff does not have to send a paper copy of each document filed with the court to the Attorney General's office or defendants Jon Litscher, Randall Hepp, Chris Krueger, John Maggioncalda, Stan Bethke, James L. LaBelle, Terry Kiser, Ana Boatwright and George Cooper. If the identity of defendant W. Blenshaw is ascertained, the Attorney General's Office will decide whether to accept electronic service on this defendant's behalf.

This case remains stayed pending resolution of *Rozak v. Hepp*, et al., Case No. 15-cv-134 (W.D. Wis. filed Mar. 2, 2015). The court will set a deadline by which plaintiff must submit additional identifying information about defendant W. Blenshaw after the stay is lifted.

Entered this 5th day of June, 2017.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge